

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

CIVIL REVISION PETITION No.5783 of 2012

ORDER:

No representation for the revision petitioner.

Heard Sri Ch. Pushyam Kiran, learned counsel for the respondents.

The present revision petition, which is preferred against the order, dated 19.10.2012, in T.O.P.No.259 of 2012 on the file of the District Judge, Rajahmundry, has been coming up since the year 2012. The learned District Judge did not agree with the petitioner and dismissed the said T.O.P by order, dated 19.10.2012. Aggrieved over the same, the present revision petition is filed.

Learned counsel for the respondents would submit that the T.O.P.No.259 of 2012 was filed seeking to withdraw O.S.No.123 of 2006 from the file of I Additional Senior Civil Judge, Rajahmundry and transfer the same to the Principal Senior Civil Judge's Court, Rajahmundry, to try with O.S.No.143 of 2008 on its file. Learned counsel would also submit that O.S.No.123 of 2006, in which the proceedings were at the stage of arguments at the time of filing the present revision petition, was, in fact, disposed of on merits on 06.03.2015 and a regular appeal preferred against the judgment and decree passed in the said suit was also disposed of. Learned counsel would further submit that challenging the judgment and decree of the

lower appellate Court, even Second Appeal in S.A.No.77 of 2017 is preferred before this Court and the same is pending and, therefore, the present revision petition would become infructuous.

From what has been stated by the learned counsel for the respondents, it is clear that the revision petition has become infructuous.

Hence, the present Civil Revision Petition is dismissed as infructuous.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE A.SHANKAR NARAYANA

04.06.2018
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